

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

I. STATUS OF THE CLAIMS

Claim 29 is amended herein.

Claims 2-28 are "objected to."

In view of the above, it is respectfully submitted that claims 1-32 are currently pending and under consideration.

II. REJECTION OF CLAIMS 29 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 29 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 29 is amended herein to overcome the rejection.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. REJECTION OF CLAIMS 1 AND 29-32 UNDER 35 U.S.C. § 102(A) AS BEING ANTICIPATED BY O'NEILL (USP# 5,310,152)

The present invention as recited in claim 1 relates to a display supporting apparatus comprising "an upper an upper engaging part mountable on a ceiling," "a swivel adjusting part rotatably combined with a bottom of the upper engaging part," and "a flange member combined with the upper engaging part to support the swivel adjusting part."

O'Neill teaches a television mounting support with removable lifting assembly. The television mounting system employs a removable winch assembly 2 and includes a mounting plate 4 affixed to a ceiling. Removable winch assembly 2 is affixed on hanger pipe 6 in such a position that cable 8 unwinds through a hole in hanger pipe 6 and out its lower end. O'Neill further teaches that interface plate 22 has an arrangement of fasteners disposed to complimentary engage with holes 26 on receiving plate 26.

The Examiner alleges that the removable winch assembly 2 is the same as the claimed swivel adjusting part and that the interface plate 22 is the same as the claimed flange member.

However, as noted above, the removable winch assembly 2 of O'Neill is affixed on hanger pipe 6 in such a position that cable 8 unwinds through a hole in hanger pipe 6 and out its lower end. More importantly, the removable winch assembly 2 is not **rotatably combined** with the mounting plate 4. Thus, the removably winch assembly 2 is not the same as the claimed swivel adjusting part, which is rotatably combined with a bottom of the upper engaging part as

recited in claim 1 of the present invention.

Also noted above, the interface plate 22 of O'Neill is engaged with holes 26 on receiving plate 24. Contrary to the Examiner's assertions, the interface plate 22 is not combined with the mounting plate 4. Thus, the interface plate 22 is not the same as the claimed flange member, which is combined with the upper engaging part as recited in claim 1.

Accordingly, O'Neill fails to teach or suggest the features as recited in claim 1 of the present invention. Claim 29 depends from claim 1 and distinguishes over O'Neill for at least the same as reasons as claim 1.

Similar to claim 1, claims 30-32 recite the claimed swivel adjusting part and flange member, which is not taught by O'Neill. Accordingly, claims 30-32 also patentably distinguish over the teachings of O'Neill.

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

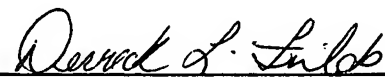
In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 10-28-05

By: 
Derrick L. Fields
Registration No. 50,133

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501